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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,869	08/04/2003	Jeen-Gie Kim	1293.1818	4635

21171 7590 10/03/2005

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EXAMINER

BLOUIN, MARK S

ART UNIT PAPER NUMBER

2653

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/632,869	Applicant(s) KIM ET AL.	
	Examiner Mark Blouin	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/04 &amp; 1/19/05</u> | 6) <input type="checkbox"/> Other: ____  |

### Detailed Action

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,3, and 5-20 is rejected under 35 U.S.C. 102 (e) as being anticipated by Lee et al (USPub 20030193854).

3. Regarding Claims 1,3,7-9,12,14,17, and 19, Lee et al shows (Figs. 5,6,and 8), an optical disc drive for use for focusing objective lens (11) and a holder on a base (20), comprising an optical pickup, the optical pickup having a spindle motor that spins a disc (D), and an optical pickup actuator that controls a position of the objective lens to record or reproduce information on or from the disc by radiating light onto a desired position of the disc via the objective lens, wherein the optical pickup actuator comprises a blade (10) holding the objective lens, a plurality of wires (30) to movingly support the blade so that the blade moves around the holder, a coil (13) installed in the blade, walls of the coil defining a cavity in the coil, a first magnet (21) installed on the base so as to at least partially be positioned inside the cavity, and a second magnet (22) installed outside the cavity so as to at least partially face the first magnet, so that a portion of the coil is positioned between the first magnet and the second magnet, wherein an outer surface of the first magnet facing the coil is polarized into a first pole and an inner surface of the first

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magnet is polarized into a second pole (inherent-magnetic surfaces are polarized to a N-S orientation).

4. Regarding Claims 5,6, and 13, Lee et al shows (Figs. 5,6,and 8; [0050]), the optical disc drive, wherein the first magnet of the optical pickup actuator interacts with a current flowing through the coil to generate an electromagnetic force.

5. Regarding Claims 10 and 11, Lee et al shows (Figs. 5,6,and 8), the optical pickup actuator, wherein the device comprises a coil having walls defining a cavity in the coil, a first magnet (21) at least partially positioned inside the cavity that interacts with a current flowing through the coil to generate an electromagnetic force [0050], and a second magnet (22) installed outside the cavity so as to at least partially face the first magnet, so that a portion of the coil is positioned between the first magnet and the second magnet, wherein an outer surface of the first magnet facing the coil is polarized into a first pole and an inner surface of the first magnet is polarized into a second pole, opposite the first pole (inherent-magnetic surfaces are polarized to a N-S orientation).

6. Regarding Claims 15 and 16, Lee et al shows (Fig. 8), the optical pickup, wherein inner and outer surfaces of the first magnet are polarized into opposite poles (inherent-magnetic surfaces are polarized to a N-S orientation), and substantially all portions of the outer surface of the first magnet facing the focusing coil belong to the same pole, wherein a main driving force for driving the blade in a focusing direction is generated by a current flowing through a front portion of a focusing coil, and current flowing through a rear, a left, and a right portion of the focusing coil generate forces in substantially the same direction as the main driving force [0059-0060].

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7. Regarding Claim 18, Lee et al shows (Figs. 5,6,and 8), the optical pickup actuator, further comprising an inner surface of the first magnet polarized into a first pole and an outer surface of the first magnet being polarized into a second pole, opposite the first pole, and substantially all portions of the outer surface of the first magnet facing the focusing coil belong to a same pole (inherent).

8. Regarding Claim 20, Lee et al shows (Figs. 5,6,and 8), the optical pickup actuator, wherein the magnetic flux increases or decreases at substantially the same time in each portion of the focusing coil (current applied at the same time will change flux instantaneously).

*Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (USPub 20030193854) in view of Ooyama et al (USPN 5,136,565).

11. Regarding Claims 2 and 4, Lee et al shows all the features described, *supra*, but does not show the optical disc drive wherein the first magnet is box-shaped with walls of the box defining an opening in the box.

Ooyama et al shows (Fig. 1) the optical disc drive wherein the first magnet is box-shaped with walls of the box defining an opening in the box.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the magnet of Lee et al with the magnet as taught by Ooyama et al. The rationale is as follows: One of ordinary skill in the art at the time the invention was made would have been motivated to replace the magnet of Lee et al with the magnet as taught by Ooyama et al because the magnets are art recognized equivalent.

*Conclusion*

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (571) 272-7583. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Mark Blouin  
Patent Examiner  
Art Unit 2653  
September 22, 2005

A. J. HEINZ  
PRIMARY EXAMINER  
GROUP ~~2653~~ A. U. 2653

